

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**168TH & DODGE, LP, a Nebraska
Limited Partnership f/k/a BROWN
INVESTMENT PARTNERSHIP, LTD., and
RED DEVELOPMENT OF WEST
DODGE, LLC, a Missouri Limited
Liability Company,**

8:03CV171

ORDER

Plaintiffs,

VS.

**RAVE REVIEWS CINEMAS, LLC, a)
Texas Limited Liability Corporation,)**

Defendant.

Oral argument was held on July 8, 2005 on Filings Nos. 104, 139, 183 and 192. For the reasons discussed on the record,

IT IS ORDERED:

1. **Filing No. 104**, defendant's motion to extend deadlines, is granted as follows:

a. The deposition deadline is extended to **September 9, 2005**; however, the deadline for filing motions for summary judgment remains **August 15, 2005**, and the parties are expected to timely complete any depositions necessary to meet the August 15 deadline.

b. On or before **July 18, 2005**, defendant shall disclose the identity of any expert witness who will be designated to rebut the testimony or opinions of plaintiffs' designated expert, Steven Fernandez. Defendant is given until **August 1, 2005** to serve all reports required by Fed. R. Civ. P. 26(a)(2)(B) and to identify any other experts designated pursuant to Fed. R. Civ. P. 26(a)(2)(A).

2. **Filing No. 139**, defendant's motion for leave to take more than ten depositions, is granted in part. Defendants are given leave to take up to **fifteen (15)** depositions without leave of court. This figure includes all expert and non-expert depositions, but excludes all Rule 30(b)(6) depositions.

3. **Filing No. 183**, the parties' stipulated motion for enlargement of time, is granted. Paragraphs 3A and 3B of the final progression order (Filing 57) are amended to allow the parties to serve pretrial disclosures pursuant to Fed. R. Civ. P. 26(a)(3) (deposition testimony and discovery; trial exhibits) on or before **October 17, 2005**.

4. **Filing No. 192**, plaintiff's motion for protective order, is granted in part, and denied in part.

DATED July 8, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge